

NATIONAL RAILROAD ADJUSTMENT BOARD
THIRD DIVISION

PARTIES TO DISPUTE:

BROTHERHOOD OF RAILROAD SIGNALMEN
THE NEW YORK CENTRAL RAILROAD COMPANY—
Eastern District (Except Boston and Albany Division)

STATEMENT OF CLAIM: Claim of the General Committee on the New York Central Railroad Company (Buffalo and East) that:

(a) The Carrier violated the current Signal Inspector-Signal Foreman Agreement, dated March 13, 1953 (particularly Rule 3), when it failed to compensate Signal Inspector L. J. Hoone, with assigned headquarters at Springfield, Mass.; Assistant Signal Inspector W. P. Bowman, with assigned headquarters at Albany, N. Y.; and Relay Inspector W. D. Neale, with assigned headquarters at Albany, N. Y., for service performed on December 22, 1956.

(b) The Carrier now be required to compensate the claimants listed in part (a) at their respective overtime rate of pay for the exact amount of hours they were required to perform service for the Carrier on December 22, 1956.

(c) The Carrier further violated the current Signal Inspector-Signal Foreman Agreement, dated March 13, 1953 (particularly Rule 1), when it did not properly compensate Assistant Signal Inspector W. P. Bowman and Relay Inspector W. D. Neale at the Signal Inspector rate of pay for work performed while assigned to work on the Buffalo job.

(d) The Carrier now required to compensate the claimants listed in part (c) the difference in the rate of pay received and the rate of pay of Signal Inspector for the exact amount of hours they were required to perform service on the Buffalo job.

FINDINGS: The Third Division of the Adjustment Board, after giving the parties to this dispute due notice of hearing thereon and upon the whole record and all the evidence, finds and holds:

That the carrier and employes involved in this dispute are respectively carrier and employes within the meaning of the Railway Labor Act, as approved June 21, 1934;

That this Division of the Adjustment Board has jurisdiction over the dispute involved herein;

That the dispute was certified to the Third Division of the Adjustment Board ex parte by the complainant party; and

That hearing was waived and under date of June 30, 1960, the complainant party addressed a formal communication to the Secretary of the Third Division requesting withdrawal of this case, which request is hereby granted.

AWARD

Case dismissed.

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of THIRD DIVISION

ATTEST: S. H. Schulty
Executive Secretary

Dated at Chicago, Illinois, this 21st day of July, 1960.